

Appl. No. : 09/759,294
Filed : January 11, 2001

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COMMENTS

In response to the Office Action mailed April 25, 2002, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. The above-identified amendments are better understood with reference to the attached pages entitled **VERSION WITH MARKINGS SHOWING CHANGES**, in which changes to previously pending claims have been identified with underlying to indicate insertions and bracketing to indicate deletions.

Submission of Co-pending Applications

Applicant has submitted the three co-pending applications for consideration by the Examiner as potential prior art. Applicant, however, is not admitting that any of these applications is prior art to the present application. Consideration of these disclosures is respectfully requested.

Amendments To The Drawings and Specification

Enclosed are drawings that have been corrected in manners requested by the Examiner and, therefore, a formal request to correct the drawings is not believe to be required. By the changes, Figures 1-3 have been labeled prior art. In addition, reference numeral 160 has been changed to reference numeral 161 in Figure 6. These drawing changes do not add new matter and respond to the Examiner's comments.

Similarly, the portions of the specification corresponding to this reference numeral and element have been amended to incorporate the change in reference numeral. The foregoing amendments to the specification and drawings correct the informalities noted by the Examiner. The amendments do not add new matter and overcome the Examiner's objection. Entry of the amendments is respectfully requested.

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All Pending Claims Now Fully Comply With 35 U.S.C. § 112

Claims 29, 31-33, 35, and 40 stand rejected under 35 U.S.C. § 112, second paragraph, the Examiner maintaining that the language therein is indefinite as filed. In response, Applicant has amended Claim 31 to more particularly point out and distinctly claim the present invention. Claims 23-30 have been cancelled to focus prosecution of the present application.

The Examiner requested clarification of Claim 31 and the phrase "said at least one chamber" in line 9. The phrase "said at least one chamber" refers to the respective chamber of each damper that is connected to the pressure regulator chambers. If the Examiner desires an amendment to the claim to further clarify the language used, Applicant requests a suggested amendment that will address the Examiner's concerns.

All pending claims fully comply with the requirements of 35 U.S.C. § 112 and reconsideration is respectfully requested.

Sakai (5,186,018) Does Not Anticipate Claims 17-19, 21, and 22

Claims 17-19, 21, and 22 stand rejected under 35 U.S.C. § 102(b) as being unpatentable anticipated by Sakai U.S. Patent No. 5,486,018 (hereinafter '018). Applicant respectfully disagrees with the Office Action's characterization of the reference and traverses the rejection.

Sakai disclosed a number of arrangements featuring interrelated dampers. In most of the arrangements, the dampers were interrelated through a pressure regulator 115 and a flow regulator 117. These two components, however, were connected to the two dampers in parallel. A quick review of the numerous figures will show that none of the illustrated arrangements feature a flow regulator connected to a third pressure regulator chamber where a first damper is connected to a

first pressure regulator chamber and a second damper is connected to a second pressure regulator chamber.

To clarify the aspect of the present invention recited by Claim 17, Claim 17 has been amended such that the claim requires, among other limitations, a first damper pair and a second damper pair that are connected together by means for regulating flow, wherein a pressure regulator and the means for regulating flow are connected in series between the first damper pair and the second damper pair. Such a fluid circuit is not disclosed, or even suggested, by Sakai. Accordingly, Claim 17 is not anticipated by Sakai. In addition, Claim 17 remains generic to all embodiments.

Claims 18, 19, 21 and 22 depend from Claim 17 and are patentable for at least the same reasons as Claim 17. Reconsider of Claims 17-19, 21 and 22 is respectfully requested.

Claims 23-30 Have Been Cancelled

Claims 23, 24, 28, and 29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tschanz U.S. Patent No. 2,184,202 (hereinafter Tschanz). Applicant respectfully disagrees with the Office Action's characterization of the reference and traverses the rejection. Nevertheless, to focus the present application, Applicant has cancelled Claims 23-30 without prejudice or disclaimer. Applicant hereby reserves the right to pursue these claims in any related applications.

Sakai (5,186,018) Does Not Render Claims 1, 4, 5, 15, 16, and 31 Obvious

Claims 1, 4, 5, 15, 16, and 31 stand rejected under 35 U.S.C. § 103(a) as unpatentable over '018. Applicant has carefully reviewed the cited reference and traverses the rejection. While the Examiner has set forth two interpretations of Sakai, no interpretation of Sakai can be made that would result in a disclosure or teaching of a flow regulator that is connected to a third pressure

regulator chamber while a first damper is connected to a first pressure regulator chamber and a second damper is connected to a second pressure regulator chamber.

Claim 1 recites, among other limitations, a first damper connected to a first pressure regulating chamber, a second damper connected to a second pressure regulating chamber, a third pressure regulating chamber connected with a third damper and a fourth damper through a first fluid conduit and a flow regulator. Claim 31 recites, among other limitations, at least one chamber of a first damper being connected to a first pressure regulating chamber, at least one chamber of a second damper being connected to a second pressure regulating chamber, the pressure regulator further comprising a third pressure regulating chamber, the third pressure regulating chamber being connected with a third damper and a fourth damper through at least a first conduit and a flow regulator. As discussed above, such a construction was not disclosed or taught by Sakai. Accordingly, Claims 1 and 31 are patentable over Sakai. Moreover, Claim 1 remains generic to each of the disclosed embodiments.

Claims 4, 5, 15 and 16 depend from Claim 1 and are patentable for at least the same reasons as Claim 1. Reconsideration is respectfully requested.

Allowance of All Claims Is Appropriate In This Application

Applicant submits that independent Claims 1, 17, 23 and 31 are not properly rejected and that each of these independent claims is allowable in its present state. Furthermore, these claims are generic to each of the disclosed embodiments. The number of species identified by the Examiner in the present application is only 5, which is a reasonable number of species for examination together. See 37 C.F.R. § 1.141. In any event, examining the generic independent claims will require a search of the relevant art for each of the species claims. Furthermore, the only

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independent claims now are allowable and all of the dependent claims must also be allowable at this time. Therefore, Applicant respectfully requests that the Examiner consider and allow each of Claims 1-40.

CONCLUSION

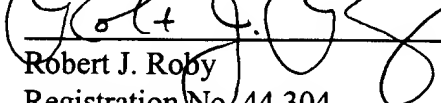
For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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Dated: July 24, 2002

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VERSION WITH MARKINGS SHOWING CHANGES MADE

IN THE SPECIFICATION:

The fourth full paragraph (lines 26-30) on page 16 has been amended as follows:

It should be noted that the flow rate regulator 134 which is illustrated in Figure 6 features a third oil or lubricant chamber [160] 161 in place of the high pressure gas chamber that has been illustrated in Figure 5. This chamber [160] 161 communicates through a throttle 170 with a further chamber 172. This chamber 172 is defined within a subcylinder 174 in the illustrated arrangement.

IN THE CLAIMS:

Claims 1, 17, 19 and 31 have been amended as follows:

1. **(Amended)** A suspension system for a four wheeled vehicle, said suspension system comprising a first damper, a second damper, a third damper and a fourth damper, each of said dampers comprising a cylinder body and a piston arranged to reciprocate within said damper, each piston dividing an interior of each cylinder body into an upper chamber and a lower chamber, each piston also comprising a connecting passage that places said upper chamber and said lower chamber in fluid communication, said lower chamber of said first damper and said lower chamber of said second damper being interconnected with a pressure regulator, said pressure regulator comprising a first pressure regulating chamber and a second pressure regulating chamber, a first movable wall defining at least a portion of said first pressure regulating chamber and a second movable wall defining at least a portion of said second pressure regulating chamber, said lower chamber of said first damper being connected to said first pressure regulating chamber and said lower chamber of said second damper being connected to said second pressure regulating chamber, a passage extending between said first pressure regulating chamber and said second pressure regulating chamber, said pressure regulator further comprising a third pressure regulating chamber, said third pressure regulating chamber being connected with said third damper and said fourth damper through at least a first conduit[,] and a

flow regulator **[being disposed along said first conduit and being in fluid communication with said first conduit]**, said flow regulator containing a first flow regulating chamber and a second flow regulating chamber, and said first flow regulating chamber and said first conduit communication through a throttled passage.

17. **(Amended)** A suspension system comprising a first damper, a second damper, a third damper and a fourth damper, said first damper and said second damper **being joined by a first pressure regulator and defining [forming]** a first damper pair and said third damper and said fourth damper **defining [forming]** a second damper pair, said first damper pair and said second damper pair **being connected together through [being fluidly connected through]** means for regulating flow, **said first pressure regulator and said means for regulating flow being connected in series between said first damper pair and said second damper pair [into and out of said first damper pair and said second damper pair]**.

19. **(Amended)** The suspension system of Claim 18 further comprising a second pressure regulator connecting said second damper pair **to[, whereby]** said means for regulating flow **[regulates flow into a chamber of said second pressure regulator]**.

31. **(Twice Amended)** A suspension system for a four wheeled vehicle, said suspension system comprising a first damper, a second damper, a third damper and a fourth damper, each of said dampers comprising a piston device arranged to act upon fluid within at least two fluid chambers, each of the fluid chambers being in fluidic communication with each other, at least one of the chambers of the first damper and at least one of the chambers of the second damper being interconnected with a pressure regulator, said pressure regulator including a first pressure regulating chamber and a second pressure regulating chamber, a first movable wall defining at least a portion of said first pressure regulating chamber and a second movable wall defining at least a portion of said second pressure regulating chamber, said at least one chamber of said first damper being connected to said first pressure regulating chamber and said at least one chamber of said second damper being connected to said second pressure regulating chamber, a passage extending between said first pressure regulating chamber and said second pressure regulating chamber, said pressure regulator further comprising a third pressure regulating chamber, said third pressure regulating chamber being connected with said third damper and said

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fourth damper through at least a first conduit[,] **and** a flow regulator **[being disposed along said first conduit and being in fluid communication with said first conduit,]** said flow regulator containing a first flow regulating chamber and a second flow regulating chamber, and said first flow regulating chamber and said first conduit communicating through a throttled passage.

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